

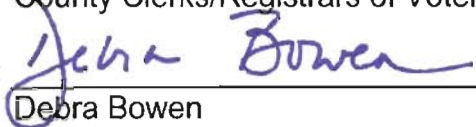


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January 30, 2008

To: County Clerks/Registrars of Voters (08048)

From:


Debra Bowen
Secretary of State

Subject: **Post-Election Manual Tally Log**
Suggested Instructions for Post-Election Manual Tally Requirements

As you know, state law, Elections Code Section 15360(e), requires elections officials to report to the Secretary of State the results of the manual tally conducted after each election. The report must identify any discrepancies (i.e., variances) between the machine tally and the manual tally and must provide a description of how each of these variances was resolved.

Attached is a standard reporting form, which you can use as a guide. Feel free to use this form or one of your own that includes the same information. The attached form is based on the manual tally reporting forms some counties have used in past elections.

In addition, attached are suggested step-by-step instructions to assist you in complying with the Post-Election Manual Tally Requirements.

I hope the form and the instructions will be helpful to you as you conduct the manual tally and prepare your manual tally report after the February 5, 2008, Presidential Primary Election.

As always, please feel free to contact me, or you may contact Jennie Bretschneider at (916) 653-7244, if you have questions or need assistance.

**Suggested step-by-step instructions
to assist in complying with the
Post-Election Manual Tally Requirements**

1. Complete semifinal official canvass.
2. Calculate the margin of victory for each contest on the ballot based on the semifinal official canvass results. Results for legislative and statewide contests will be posted on the Secretary of State's website.
 - a. "Margin of victory" is the percentage difference between the first place and the second place candidate in a given contest. For a contest involving a measure, the "margin of victory" is the difference between the "Yes" and the "No" votes. For a multi-winner contest, the "margin of victory" is the difference between the candidate who had just enough votes to win a seat and next candidate below. For example, for a contest with three open seats, the margin of victory would be the difference between the third and fourth place candidates.
 - b. The margin of victory for contests that include more than one jurisdiction is overall margin of victory in the contest, not the margin of victory within the jurisdiction. For the February 5th Presidential Primary Election, elections officials are only required to conduct a 10% manual count for a statewide ballot measure or Presidential primary contest if the statewide margin of is less than 0.5% following the semifinal official canvass results. This ensures elections officials only conduct a 10% manual count if the outcome of the contest is at stake, rather than simply because the margin of victory was narrow within a given county.
3. If a contest has an overall margin of victory of less than one half of one percent (0.5%), conduct a 10% manual tally.
 - a. Randomly select precincts until 10% of the precincts in the contest have been selected. Precincts manually tallied under Elections Code §15360 may be included as part of the 10% manual tally.
 - b. Manually tally the results for that contest from the precincts selected for the 10% sample. The 10% manual tally is only required for the contest in question, not the entire ballot.
4. Track variances between the machine tally and manual tally.
 - a. A "variance" is any difference between the machine tally and the manual tally for a given candidate or measure. For example, if the manual tally uncovers that a machine tally error causing a vote for Candidate A to be attributed to Candidate B, then two variances exist because the vote totals for Candidate A and for Candidate B are each changed by one vote in the manual tally. If the machine tally results in an undervote, but the manual tally uncovers the ballot was marked but not read by the machine, then one variance exists because the undervote becomes a vote for a candidate or measure.
5. Document and disclose any variances and any steps taken to resolve the variance.

- a. If any variance is found between manually tallied VVPAT records and corresponding electronic vote results that cannot be accounted for by some obvious mechanical problem, then the VVPAT records, memory cards and devices, and DRE machines must be preserved and the Secretary of State must be notified in order to allow for an investigation to determine the cause of the problem. The Secretary of State shall conduct the investigation in such a manner as to minimize adverse impact on the conclusion of the canvass and certification of the election, as well as preparation for any upcoming elections.
6. Calculate a variance percentage for each contest as follows:
 - a. Add the total number of variances between the machine tally and the manual tally for each candidate in a contest. For measures, add the total number of variances between the machine tally and the manual tally for votes cast for and against the measure. Do not include overvotes or undervotes.
 - b. Add the total number of votes cast for each candidate in a contest. For measures, add the total number of votes cast for or against the measure. (Do not include overvotes or undervotes.)
 - c. Divide the total number of variances for each contest by the total number of votes cast in each contest.
 - d. Multiply by 100 to create a percentage.
 - e. If the percentage is equal to or greater than one-tenth of the overall margin of victory for that contest, go to step 7. For example, if within the manual count sample four variances are found in one contest and a total of 10,000 votes were cast for all candidates in that contest, then the variance percentage is 0.04% for that contest. If the overall margin of victory in the contest is 0.4% or less, then elections officials must manually tally additional precincts, because 0.04% is one-tenth of 0.4%.
 7. Manually tally additional precincts as follows:
 - a. Randomly select precincts until an additional 5% of the precincts in the contest have been selected.
 - b. Manually tally the results for the contest from the precincts selected for the additional 5% sample. The additional 5% manual tally is only required for the contest in question, not the entire ballot.
 - c. Return to step 6 and recalculate the cumulative variance percentage for the entire manual tally sample for the contest. Stop when the total variance percentage is smaller than one-tenth of the overall margin of victory in the contest, based on the semifinal official canvass results, or until all ballots have been manually tallied, whichever comes first. For example, if the total variance percentage in a 15% sample (10% plus an additional 5%) equals 0.03% and the margin of victory is 0.4%, then no further precincts are required to be manually tallied, because 0.03% is less than one-tenth of 0.4%.

County	_____
Precinct	_____
Election Date	_____
Contest	_____
Contest Type (single-; multi-winner)	_____
Precinct Selected For (circle one): 1% Tally	_____

Overvotes		
Undervotes		

.. A "variance" means each difference between the machine tally and the manual tally. Do not include differences between the machine and manual tally that are resolved by repeating the manual tally of the ballots.

**Secretary of State
Post-Election Manual Tally Log
Summary Information**

County _____
Election Date _____

Your input here will help the Secretary of State provide guidance and support to counties in the manual count process.

Date and time of random selection of precincts:

Method used for random selection of 1% precincts:

Method used for additional precincts selected at the discretion of the elections official, as required by EC 15360(a), for races not included in initial group of precincts selected for the 1% manual tally:

Was random selection of precincts conducted after completion of semi-final official canvass results? (Y/N)

Dates and times of manual tally:

Ballot types (optical scan, voter verified paper audit trail (VVPAT):

If the jurisdiction used direct recording electronic (DRE) voting machines, were VVPAT rolls cut or left intact?

What was the total number of each of the following categories of ballots?

Blank
Spoiled
Cancelled
Invalidated

How many people were used for each manual tally team and the roles of each person (e.g., announcer, manager, observer, checker, tallier, etc.)?

Approximately how many public observers were present during the manual tally on average?

Please describe the resources that were used to complete the manual tally (staff hours, material and facility costs, security costs)?